

Applicant : Keiiti Ogura et al.
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Attorney's Docket No.: 12732-077001 / US5246

REMARKS

Claims 1-60 are pending in the application with claims 50-55 being withdrawn from consideration. Claims 1, 6, 12, 18, 23, 27, 33, 50, 53 and 56 are independent. New claims 56-60 have been added. As support for these claims may be found, for example, in Fig. 1E1 and the accompanying text, no new matter is introduced.

Independent claim 1, along with dependent claims 2-5, were previously rejected as being unpatentable over Sakaguchi (U.S. Patent No. 5,990,615) in view of Fujita (U.S. Patent No. 5,962,962). As previously noted, Applicants request reconsideration and withdrawal of this rejection because neither Sakaguchi, Fujita, nor any proper combination of the two describes or suggests a barrier film on which is formed an absorption film on which is formed a passivation film, as recited in claim 1.

In the advisory action dated June 2, 2004, the Examiner interprets Sakaguchi's protecting layer 8 "as the barrier layer" and Sakaguchi's sealant member 9 "as the passivation layer." The Examiner then argues that Sakaguchi discloses "a dehydrating agent and an oxygen absorber between the protective or barrier layer and the sealant or passivation film." Recognizing that the dehydrating agent is not a film, the Examiner then argues that "Fujita teaches a protective film which has water absorption substance" and that "it would have been obvious ... to form a absorption layer of Fujita between between the barrier layer and the passivation layer of Sakaguchi in order to prevent the infiltration of moisture into the display device."

Applicant respectfully disagrees with the Examiner's assertion that the sealant member 9 could constitute the passivation film recited in claim 1. Sakaguchi's metal or glass sealant member is not a "film" and is not "formed on" an absorption film or otherwise. Rather, it is a metal or glass structure that defines an interior space and is secured around a peripheral portion of the element. See Sakaguchi at Fig 1 and col. 3, lines 9-15.

Moreover, in order to satisfy the limitations of claim 1, one would have to replace Sakaguchi's inert liquid 12 with Fujita's protective film in order to argue that the protective film is "formed on" the protecting layer 8 and the sealant member 9 is "formed on" the protective film, as recited in claim 1. This simply would not be done, since the inert liquid 12 is used to fill

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the gaps between the sealing member 9 and the protecting layer 8. Thus, absent impermissible hindsight reconstruction of the invention, nothing in Sakaguchi or Fujita would have led one of ordinary skill in the art to make such an extensive modification of the system of Sakaguchi.

Accordingly, for at least these reasons, applicant requests withdrawal of the rejection of claim 1 and its dependent claims.

Claims 6-17 and 23-41, including independent claims 6, 12, 23, 27 and 33, and their dependent claims 7-11, 13-17, 24-26, 28-32 and 34-41, have been rejected as being unpatentable over Sakaguchi in view of Fujita and Shi (U.S. Patent No. 5,811,177).

Similarly to claim 1, independent claims 6 and 12 recite arrangements in which a passivation film is formed over an absorption film; independent claim 23 recites an arrangement in which a passivation film is formed over an inorganic hygroscopic film; and independent claims 27 and 33 recite arrangements in which a passivation film is formed on an inorganic hygroscopic film which is formed on a barrier film.

Applicant requests reconsideration and withdrawal of this rejection for the reasons presented above and for the reasons presented in applicant's prior response.

Claims 18-22 and 42-49, including independent claims 18 and 42, have been rejected as being unpatentable over Tang in view of Fujita. Since the advisory action does not address this rejection, applicant is uncertain as how, if at all, the Examiner disagrees with the arguments presented in applicant's prior response. Accordingly, applicant requests reconsideration and withdrawal of this rejection for the reasons previously presented.

Like claim 1, new independent claim 56 recites a barrier film, an absorption film formed on the barrier film, and a passivation film formed on the absorption film. Accordingly, claims 56-60 are allowable for at least the reasons presented above with respect to claim 1.

Applicant submits that all claims are in condition for allowance.

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Please charge Deposit Account No. 06-1050 in the amount of \$946 for the additional claims fees (\$176) and the request for continued examination fee (\$770). Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: July 12, 2004


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